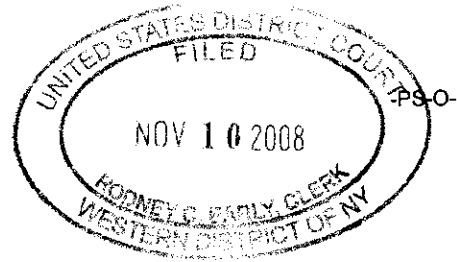


UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



NORMAN C. SONBERG, 08B0886,

Plaintiff,

-v-

DECISION and ORDER
08-CV0364S

NIAGARA COUNTY JAIL MEDICAL DEPARTMENT
HEAD; HEAD NURSE CHRIS and
Dr. JAMES HOHENSE, Jail Doctor;

Defendants.

Plaintiff, who is incarcerated in the Elmira Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Accordingly, plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

Plaintiff has requested that his attachments be filed under seal (Docket # 7). The Court grants this request because the documents contain private medical information. Plaintiff has also requested appointment of counsel (Docket # 6). There is insufficient information before the Court at this time to make the necessary assessment of plaintiff's claims under the standards promulgated by *Hendricks v. Coughlin*, 114 F.3d 390, 392 (2d Cir. 1997), and *Hodge v. Police Officers*, 802 F.2d 58 (2d Cir. 1986), as issue has yet to be joined. Therefore plaintiff's motion for appointment of counsel is denied without

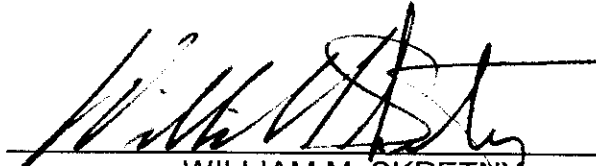
prejudice at this time. It is the plaintiff's responsibility to retain an attorney or press forward with this lawsuit *pro se*. 28 U.S.C. § 1654.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint with Attachments, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

Dated: 11/15, 2008
Buffalo, New York



WILLIAM M. SKRETNY
United States District Judge